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OCT 12 2005

FACSIMILE COVER SHEET

Deliver to: Kevin Kim, USPTO

Art Group: 2634_____

Facsimile No.: (571) 273-8300

Date: October 12, 2005

From: William E. Alford, Reg. No. 37,764

Our Docket No.: 5440P002

Number of pages 17 including this sheet.

Application No.: 09/972,368

Filing Date: 10/5/2001Docket Due Date(s): 12/12/2005

Enclosed are the following documents:

- ☒ Amendment: Response (.13 pgs)

☐ Appeal Brief (pgs)

☐ Application:

(pgs) w/cover & abstract)

☐ Assignment & Cover Sheet (pgs)

☒ Certificate of Facsimile

☐ Continued Prosecution Application (CPA)

☐ Declaration & POA (pgs)

☐ Drawings: sheets, figures

☐ Extension of Time:

☒ Fee Transmittal (in duplicate)

☐ IDS & PTO/SB/08 (pgs)

☐ Other

☐ Issue Fee Transmittal

☐ Notice of Appeal

☐ Petition for:

☐ Request for Continued Examination (RCE)

☐ Reply Brief (pgs)

☐ Request & Certification Under 35 USC 122(b)(2)(B)(i).

☐ Request to Rescind Previous Nonpublication Request

☐ Response to Notice of Missing Parts & Formalities Letter

☐ Response to Written Opinion (pgs)

☐ Terminal Disclaimer

☐ Transmittal of Publication Fee Due

☒ Transmittal Letter

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

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Pat Sullivan 10/12/2005
Pat Sullivan Date

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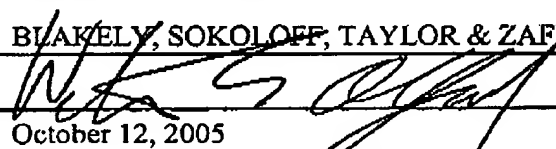
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/972,368
		Filing Date	October 5, 2001
		First Named Inventor	Jin H. Hwang
		Art Unit	2634
		Examiner Name	Kevin Kim
Total Number of Pages in This Submission	17	Attorney Docket Number	5440P002

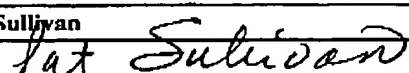
ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">Facsimile Transmittal Sheet</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	William E. Alford, Reg. No. 37,764 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	October 12, 2005

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.

Typed or printed name	Pat Sullivan	Date	October 12, 2005
Signature			

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (MR) 06/04/2004.
 SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

FEE TRANSMITTAL for FY 2005 <small>Patent fees are subject to annual revision.</small>		Complete if Known		
		Application Number	09/972,368	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Date	October 5, 2001	
		First Named Inventor	Jin H. Hwang	
		Examiner Name	Kevin Kim	
		Art Unit	2634	
TOTAL AMOUNT OF PAYMENT (\$)		0.00	Attorney Docket No.	5440P002

METHOD OF PAYMENT (check all that apply)

- ☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) ☐ Credit any overpayments
 under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

FEE CALCULATION
1. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	39 - 49* = 0	50.00	\$0.00
Independent Claims	4 - 5* = 0	200.00	\$0.00
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple Dependent claim, if not paid
1204	300	2204	150	*Reissue independent claims over original patent
1205	300	2205	150	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (1)				(1) 0.00

*or number previously paid, if greater, For Reissues, see below

2. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
2053	130	2053	130	Non-English specification
1251	120	2251	60	Extension for reply within first month
1252	450	2252	225	Extension for reply within second month
1253	1,020	2253	510	Extension for reply within third month
1254	1,590	2254	795	Extension for reply within fourth month
1255	2,180	2255	1,090	Extension for reply within fifth month
1401	500	2401	250	Notice of Appeal
1402	500	2402	250	Filing a brief in support of an appeal
1403	1,000	2403	500	Request for oral hearing
1451	1,510	2451	1,510	Petition to institute a public use proceeding
1460	130	2460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(a)
1806	180	1806	180	Submission of Information Disclosure Stmt.
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))
Other fee (specify)				
SUBTOTAL (2)				(2)

Fee Paid

(1)

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	William E. Alford	Registration No. (Attorney/Agent)	37,764
Signature		Telephone	(714) 557-3800
		Date	10/12/05

Based on PTO/SD/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (Amended) 12/15/2004.
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

FEE TRANSMITTAL for FY 2005 <small>Patent fees are subject to annual revision.</small>		Complete if Known		
		Application Number	09/972,368	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Date	October 5, 2001	
		First Named Inventor	Jin H. Hwang	
		Examiner Name	Kevin Kim	
		Art Unit	2634	
TOTAL AMOUNT OF PAYMENT (\$)		0.00	Attorney Docket No.	5440P002

METHOD OF PAYMENT (check all that apply)

- ☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) ☐ Credit any overpayments
 under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

FEE CALCULATION

1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
39	48	0	\$0.00
Independent Claims	4	0	\$0.00
Multiple Dependent			

Large Entity	Small Entity	Fee Description
For Code Fee (\$)	For Code Fee (\$)	
1202 50	2202 25	Claims in excess of 20
1201 200	2201 100	Independent claims in excess of 3
1203 380	2203 180	Multiple Dependent claim, if not paid
1204 300	2204 150	*Reissue independent claims over original patent
1205 300	2205 180	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (1)		(\$) 0.00

*or number previously paid, if greater, For Reissues, see below

2. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
For Code Fee (\$)	For Code Fee (\$)		
1051 130	2051 85	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
2053 130	2053 130	Non-English specification	
1251 120	2251 60	Extension for reply within first month	
1252 450	2252 225	Extension for reply within second month	
1253 1,020	2253 510	Extension for reply within third month	
1254 1,590	2254 795	Extension for reply within fourth month	
1255 2,160	2255 1,080	Extension for reply within fifth month	
1401 500	2401 250	Notice of Appeal	
1402 500	2402 250	Filing a brief in support of an appeal	
1403 1,000	2403 500	Request for oral hearing	
1451 1,510	2451 1,510	Petition to institute a public use proceeding	
1460 130	2460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(a)	
1808 180	1808 180	Submission of Information Disclosure Sheet	
1809 790	1809 395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify)			
SUBTOTAL (2)		(\$)	

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	William E. Akord	Registration No. (Attorney/Agent)	37,764
Signature		Telephone	(714) 557-3800
		Date	10/12/05

Based on PTO/5817 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (10/12/2004).
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Appl. No. 09/972,368
Amdt. Dated 10/12/2005
Reply to Office Action of 09/12/2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No. :	09/972,368	Confirmation No. 4726
Applicant :	Jin H. Hwang	
Filed :	10/05/2001	
TC/A.U. :	2634	
Examiner :	Kevin Kim	
Title :	METHOD AND APPARATUS FOR MATCHING TRANSMISSION RATES ACROSS A SINGLE CHANNEL	
Docket No. :	5440P002	
Customer No. :	8791	

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action mailed on 09/12/2005, please enter the following amendments and remarks in the above-identified patent application:

Claims listing begins on page 2.

Remarks begin on page 12.

Conclusion with signature is on page 13.